



MEMO ENDORSED

U.S. Department of Justice

United States Attorney  
Southern District of New York

86 Chambers Street  
New York, New York 10007

January 12, 2023

**By ECF**

Hon. Kenneth M. Karas  
United States Courthouse  
300 Quarropas Street, Room 533  
White Plains, New York 10601

Re: *Krandle v. Refuah Health Ctr., Inc.*, 22 CV 4977 (KMK);  
*Esposito v. Refuah Health Ctr., Inc.*, 22 CV 5039 (KMK)

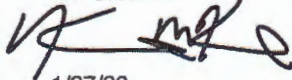
Dear Judge Karas:

Before the Court are two actions removed by defendant Refuah Health Center (“Refuah”) from New York Supreme Court. The underlying actions concern the theft of medical and other sensitive personal information in the possession of Refuah. In the complaints, plaintiffs assert that this data breach occurred because Refuah allegedly failed to put in place adequate cybersecurity measures. Plaintiffs have asserted causes of action under New York law. The United States is scheduled to file a statement by January 27, setting forth its position on whether Refuah meets the requirements of the above removal statutes. I write to request that this deadline be extended to February 3. I have been on jury duty this week which has limited my ability to prepare the Government’s position statement and confer with agency counsel concerning its contents. This is the Government’s second extension request. The first was granted by order January 13. Counsel for all parties consent to the granting of this relief.

I thank the Court for its consideration of this request.

Granted.

So Ordered.

  
1/27/23

Respectfully,

DAMIAN WILLIAMS  
United States Attorney for the  
Southern District of New York

By: /s/ Brandon Cowart  
BRANDON H. COWART  
Assistant United States Attorney  
Telephone: (212) 637-2693  
Email: brandon.cowart@usdoj.gov

cc: All Parties (by ECF)